

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/501,791 Confirmation No. 6914
Applicant : Yoshifumi Kachi, et al.
Filed : July 2, 2004
T.C./A.U. : 1792
Examiner : Satish Chandra
Docket No. : 039.0026
Customer No. : 29453

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This constitutes an Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98. The attached documents listed on the accompanying "IDS List of References" (a substitute for Form PTO/SB/08) are hereby brought to the Examiner's attention in the patent application identified above.

REMARKS

The presently submitted references, i.e., Cite Nos. F1 and F2 as listed on the IDS List of References, were cited in a communication from the Japanese Patent Office, mailed on July 8, 2008, in an appeal proceeding undertaken in Japanese Pat. App. No. 2002-309388, the foreign patent application on the basis of which priority is claimed in the present application. Cite Nos. F1 and F2 are not in English.

In addition to the references presently being submitted, the JPO also re-cited other references, listed at items 1. through 3. under the "List of Cited Documents" at the end of its communication. These Japanese publications have already been submitted, in an IDS dated December 28, 2005, in the instant case; and because they are thus cumulative to material already made of record, these references are not being submitted here.

Concise Explanation of Relevance/Copy of Translation
Pursuant to 37 C.F.R. § 1.98(a)(3)

As a concise explanation of the relevance of the presently submitted non-English references, an English translation of the JPO's appeal-board communication, in its entirety, is attached to the front of a copy of the communication in the Japanese original.

Although the accompanying translation renders the title of the communication "Questioning," it might best be termed an "Invitation to Respond." This Invitation to Respond incorporates a "Prefatory Report"—whose title is rendered "Reconsideration Report" in the translation—by the Japanese examiner from whose rejections the appeal is being made. The Prefatory Report may be analogized to an Examiner's Answer in an appeal at the USPTO.

In addition, regard to the relevance, an English abstract of Cite No. F1 is available on the Japanese Patent Office website through Patent Abstracts of Japan (PAJ), and a copy of the corresponding PAJ abstract is attached to the front of the reference.

(As Cite No. F2 is the publication of a Japanese application that did not include an abstract, no PAJ English version is available for this reference.)

STATEMENT AS SPECIFIED IN 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this statement.

FEE AS STIPULATED IN 37 C.F.R. § 1.97(d)

A final Office action was issued in the present application on August 14, 2008. Accordingly, pursuant to 37 C.F.R. § 1.97(d), in addition to the § 1.97(e) statement above, the fee set forth in § 1.17(p) is being submitted in an authorization, accompanying the EFS Web submission of this paper, to charge to a credit card the \$180 fee.

The Examiner is respectfully requested to consider these references, and to indicate so on the accompanying IDS List of References and make the document of record in the present application.

Respectfully submitted,

August 19, 2008

/James Judge/

James W. Judge
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